

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ARMI B. SANCHEZ,

Case No. 3:13-cv-00864-HU

Plaintiff,

ORDER

v.

PURINA NUTRITION, LLC and LAND
O'LAKES, INC., a Minnesota
corporation,

Defendants.

MARSH, Judge

Magistrate Judge Dennis J. Hubel issued a Findings and Recommendation (#18) on November 4, 2013, recommending that Defendant Land O'Lakes's Motion to Dismiss for Failure to State a Claim (#9) be granted in part and denied in part. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). No objections have been timely filed.

When neither party objects to a Magistrate Judge's Findings and Recommendation, this court is relieved of its obligation to review the record *de novo*. See Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114,

1121 (9th Cir. 2003)(en banc). Having reviewed the legal principles de novo, I find no error.

CONCLUSION

Accordingly, Magistrate Judge Hubel's Findings and Recommendation (#18) is ADOPTED in its entirety. Defendant Land O'Lakes's Motion to Dismiss (#9) is GRANTED as to plaintiff's disparate treatment claims, which are dismissed without prejudice; the Motion is DENIED in all other respects. It is further ordered that plaintiff may file an Amended Complaint within 30 days of the date of this order.

IT IS SO ORDERED.

DATED this 3 day of DECEMBER, 2013.


Malcolm F. Marsh
United States District Judge